

**UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF ARIZONA**

Barbara Forte,)
Plaintiff,) MDL Case No. 2:15-md-02641-DGC
v.) Civil Action No. CV-18-00177-PHX-DGC
C. R. Bard Inc. and Bard Peripheral)
Vascular, Inc.,)
Defendant.)

WAIVER OF THE SERVICE OF SUMMONS

To: Johnson Law Group
(Name of plaintiff's attorney or unrepresented plaintiff)

I have received your request to waive service of a summons in this action along with a copy of the complaint, two copies of this waiver form, and a prepaid means of returning one signed copy of the form to you.

I, or the entity I represent, agree to save the expense of serving a summons and complaint in this case.

I understand that I, or the entity I represent, will keep all defenses or objections to the lawsuit, the court's jurisdiction, and the venue of the action, but that I waive any objections to the absence of a summons or of service.

I also understand that I, or the entity I represent, must file and serve an answer or a motion under Rule 12 within 60 days from 1/18/2018, the date when this request was sent (or 90 days if it was sent outside the United States). If I fail to do so, a default judgment will be entered against me or the entity I represent.

Date: January 24, 2018

/s/ Richard B. North, Jr.

Signature of the attorney or unrepresented party

C. R. Bard, Inc. and Bard Peripheral
Vascular, Inc.

Richard B. North, Jr. (Ga. Bar No. 545599)

Printed Name

Printed name of parties waiving service of summons

Nelson Mullins Riley & Scarborough, LLP

201 17th St.,

Header CSS

richard.north@...

(404) 322-6155

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Rule 4 of the Federal Rules of Civil Procedure

“Good cause” does not include a belief that the lawsuit is groundless, or that it has been brought in an improper venue, or that the court has no jurisdiction over this matter or over the defendant or the defendant’s property.

If the waiver is signed and returned, you can still make these and all other defenses and objections, but you cannot object to the absence of a summons or of service.

If you waive service, then you must, within the time specified on the waiver form, serve an answer or a motion under Rule 12 on the plaintiff and file a copy with the court. By signing and returning the waiver form, you are allowed more time to respond than if a summons had been served.